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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/043,355	01/09/2002	Jason Robert McGee	RSW920010086US1	7289

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EXAMINER

NGUYEN, THANH T

ART UNIT	PAPER NUMBER
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2144

DATE MAILED: 08/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/043,355

Applicant(s)

MCGEE ET AL.

Examiner

Tammy T. Nguyen

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE (3) MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 May 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 January 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.



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Detailed Office Action

1. This action is in response to the amendment filed on May 18, 2005.
2. Claims **1-33** are pending.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Howard et al., (hereinafter Howard) U.S. Patent No. 6,678,731 in view of Othmer et al., (hereinafter Othmer) U.S. Patent No. 6,167,358.
5. As to claim 1, Howard teaches the invention as claimed, including a method of synchronizing cookies across a plurality of computing devices that access a network, said method comprising the steps of: (1) registering a plurality of computing devices as members of an account (see col.2, lines 1-42, registration information typically requested by web servers during user registration process (see col.2, lines 15-42, and col.5, lines 42-67) (user of client registers by provides necessary information to the authentication server); (2) maintaining information as to the members of said account at a server on said network (see col.10, line 55 to col.11, line15)(the information received in the completed web page authentication information maintained by authentication server); (3) responsive to a change in one or more cookies stored at a first one of said computing devices that is a member of said account, said first member computing device sending a message to a server on said network containing sufficient data from which said one or more cookies can be determined and the account to which said first member computing device corresponds (see col.7, lines 1-15); (4) storing at said server said data and information identifying said account to which they correspond (see col.8, line 32 to col.9, line65),and (6) said other member computing devices updating their cookies in accordance with said data received from said server (see col.7, lines 25-39) (the cookie is updated by adding the current affiliate server to the list of sites visited). But Howard does not explicitly

teach server sending said data to other members of said account. However, Othmer teaches a server sending data to other members of account (see col.5, line 40 to col.6, line 25) (server sends a broadcast message indicating the latest version). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Othmer into the computer system of Howard to have a server sending data to other members of account because it would have an efficient system that can provide specific functions that simultaneously sending the same message to multiple recipients.

6. As to claim 2, Howard teaches the invention as claimed, wherein step (5) is performed responsive to a request for said one or more changed cookies received from another computing device that is a member of said account and further including the step of: (7) said member computing devices issuing requests for said changed cookies (col.7, lines 15-47).
7. As to claims 3, and 18, Howard does not explicitly teach periodically attempting to send said one or more changed cookies to computing devices that are members of said account. However, Othmer teaches periodically attempting to send said one or more changed cookies to computing devices that are members of said account (see col.5, line 40 to col.6, line 25) (server sends a broadcast message indicating the latest version). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Othmer into the computer system of Howard to

have a server sending data to other members of account because it would have an efficient system that can provide specific functions that simultaneously sending the same message to multiple recipients.

8. As to claims 4, and 19 Howard teaches the invention as claimed, wherein step (5) comprises the steps of: (5.1) maintaining at said server records of the cookies stored at said computing devices that are members of said account (see col.10, line 55 to col.11, line15)(the information received in the completed web page authentication information maintained by authentication server); (5.2) comparing said records with said data stored at said server that relate to cookies that correspond to said account (Fig.4) (see abstract, col.7, lines 1-15). But Howard does not explicitly teach sending to each said computing device that is a member of said account only said data that relates to cookies for which it is determined in step (5.2) that said computing device's corresponding cookie is inconsistent with said data stored at said server. However, Othmer teaches sending to each said computing device that is a member of said account only said data that relates to cookies for which it is determined (see col.5, line 40 to col.6, line 25) (server sends a broadcast message indicating the latest version). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Othmer into the computer system of Howard to have sending to each said computing device that is a member of said account only said data that relates to cookies for which it is determined because it would have an efficient system that can provide specific functions that simultaneously sending the same message to multiple recipients.

9. As to claims 5, and 20 Howard teaches the invention as claimed, wherein step (5) comprises the steps of: (5.1) maintaining at said server records of the cookies stored at said computing devices that are members of said account (see col.10, line 55 to col.11, line15)(the information received in the completed web page authentication information maintained by authentication server); (5.2) comparing said records with said data stored at said server that relate to cookies that correspond to said account (Fig.4) (see abstract, col.7, lines 1-15). But Howard does not explicitly teach sending to each said computing device that is a member of said account only said data that relates to cookies for which it is determined in step (5.2) that said computing device's corresponding cookie is inconsistent with said data stored at said server. However, Othmer teaches sending to each said computing device that is a member of said account only said data that relates to cookies for which it is determined (see col.5, line 40 to col.6, line 25) (server sends a broadcast message indicating the latest version). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Othmer into the computer system of Howard to have sending to each said computing device that is a member of said account only said data that relates to cookies for which it is determined because it would have an efficient system that can provide specific functions that simultaneously sending the same message to multiple recipients.
10. As to claims 6, and 21, Howard teaches the invention as claimed, wherein step (5) comprises the steps of: (5.1) maintaining at said server first records of the times at which

step (5) was last performed with respect to each said computing device that is a member of said account (see col.10, line 55 to col.11, line15)(the information received in the completed web page authentication information maintained by authentication server); (5.2) maintaining at said server second records of the client machine from which said data was received, and (5.3) comparing said first and second records with said data stored at said server that relate to said account (Fig.4) (see abstract, col.7, lines 1-15). But Howard does not explicitly teach sending to each said computing device that is a member of said account only said data that relates to cookies for which it is determined in step (5.3) that (a) said data was not received from said computing device and (b) said data was received at said server after step (5) was last performed with respect to said computing device. However, Othmer teaches sending to each said computing device that is a member of said account only said data that relates to cookies for which it is determined (see col.5, line 40 to col.6, line 25) (server sends a broadcast message indicating the latest version). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Othmer into the computer system of Howard to have sending to each said computing device that is a member of said account only said data that relates to cookies for which it is determined because it would have an efficient system that can provide specific functions that simultaneously sending the same message to multiple recipients.

11. As to claims 7, and 22, Howard teaches the invention as claimed, wherein step (5) comprises the steps of: (5.1) maintaining at said server first records of the times at which

step (5) was last performed with respect to each said computing device that is a member of said account, and (5.2) maintaining at said server second records of the client machine from which said data was received, and (5.3) comparing said first and second records with said data stored at said server that relate to said account (fig.4) (see col.6, lines 43 to col.7, lines 39). But Howard does not explicitly teach sending to each said computing device that is a member of said account only said data that relates to cookies for which it is determined in step (5.3) that (a) said data was not received from said computing device and (b) said data was received at said server after step (5) was last performed with respect to said computing device. However, Othmer teaches sending to each said computing device that is a member of said account only said data that relates to cookies for which it is determined (see col.5, line 40 to col.6, line 25) (server sends a broadcast message indicating the latest version). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Othmer into the computer system of Howard to have sending to each said computing device that is a member of said account only said data that relates to cookies for which it is determined because it would have an efficient system that can provide specific functions that simultaneously sending the same message to multiple recipients.

12. As to claims 8, 23 and 26, Howard teaches the invention as claimed, wherein changes to a cookie comprise any of updates to said cookie, creation of said cookie, deletion of said cookie, and rewriting of said cookie (see col.7, lines 15-39).

13. As to claims 9, and 27, Howard teaches the invention as claimed, wherein step (6) comprises periodically requesting said changed cookies in said account (see col.6, lines 1-27).
14. As to claims 10, and 28, Howard teaches the invention as claimed, wherein step (6) comprises requesting said changed cookies in said account each time said computing device accesses said network (see col.7, lines 1-39).
15. As to claims 11, and 29, Howard teaches the invention as claimed, wherein step (6) is performed responsive to said member computing device accessing a particular Web site for which it has stored corresponding cookies (see col.1, lines 35-59).
16. As to claims 12, and 30, Howard teaches the invention as claimed, wherein step (6) comprises, responsive to the accessing of a particular Web site, said member computing device requesting from said server only those changed cookies in said account that correspond to said Web site (see col.7, lines 15-39).
17. As to claims 13, and 31, Howard teaches the invention as claimed, wherein step (3) is performed responsive to an instruction received by said member computing device to log off of said network (see col.8, lines 1-32, col.6, lines 1-27).

18. As to claims 14, and 32, Howard teaches the invention as claimed, wherein step (3) is performed in connection with cookies corresponding to a particular Web site responsive to said member computing device exiting said Web site (see col.1, lines 35-59).
19. As to claims 15, and 33, Howard teaches the invention as claimed, wherein step (3) is performed periodically (see col.6, lines 1-27).
20. As to claim 16, Howard teaches the invention as claimed, including a method of synchronizing cookies across a plurality of computing devices that access a network, said method comprising the steps of: maintaining information as to the members of said account at a server on said network (see col.10, line 55 to col.11, line15)(the information received in the completed web page authentication information maintained by authentication server); (3) receiving messages from said computing devices that are members of said account identifying one or more cookies that have been changed at said computing devices, said messages also containing sufficient data from which said one or more cookies can be determined and the account to which said first member computing device corresponds (see col.7, lines 1-15); (4) storing at said server said data and information identifying said account to which they correspond (see col.8, line 32 to col.9, line65); But Howard does not explicitly teach server sending said data to other members of said account. However, Othmer teaches a server sending data to other members of account (see col.5, line 40 to col.6, line 25) (server sends a broadcast message indicating the latest version). It would have been obvious to one of ordinary skill in the art at the

time of the invention was made to implement the teachings of Othmer into the computer system of Howard to have a server sending data to other members of account because it would have an efficient system that can provide specific functions that simultaneously sending the same message to multiple recipients. Howard et al does not specifically disclose registering a plurality of computer devices. However, this feature is obvious with the system because in a client-server environment, multiple clients are connected to a server and are interchangeable. The client that has interactions/registering with the server can be substituted for another client in the network. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made that once Howard teaches a client registers with the server that can imply that plurality/multiple clients can do the same function as registering with server when the system has multiple clients connect to the server. A person of the ordinary skill in the art would have recognized that Howard performs the same function in substantially the same way to reach substantially the same result.

21. As to claim 17, Howard does not explicitly teach performing responsive to a request for changed cookies received from another computing device that is a member of said account. However, Othmer teaches performing responsive to a request for changed cookies received from another computing device that is a member of said account. (see col.5, line 40 to col.6, line 25) (server sends a broadcast message indicating the latest version). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Othmer into the computer system of

Howard to have performing responsive to a request for changed cookies received from another computing device that is a member of said account because it would have an efficient system that can provide specific functions that simultaneously sending the same message to multiple recipients.

22. As to claim 24, Howard teaches the invention as claimed, including a method of synchronizing cookies across a plurality of computing devices that access a network, said method comprising the steps of: (2) responsive to a change in one or more cookies stored at a any of said computing devices that are members of said account, said computing device sending a message to a server on said network containing sufficient data from which said one or more cookies can be determined and the account to which said first member computing device corresponds (see col.7, lines 1-15); and (4) said member computing devices updating their cookies in accordance with said data see col.7, lines 25-39) (the cookie is updated by adding the current affiliate server to the list of sites visited). But Howard does not explicitly teach server sending said data to other members. However, Othmer teaches a server sending data to other members of account (see col.5, line 40 to col.6, line 25) (server sends a broadcast message indicating the latest version). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Othmer into the computer system of Howard to have member computing devices receiving said data from a server on said network because it would have an efficient system that can provide specific functions that simultaneously sending the same message to multiple recipients. Howard et al does not

specifically disclose registering a plurality of computer devices. However, this feature is obvious with the system because in a client-server environment, multiple clients are connected to a server and are interchangeable. The client that has interactions/registering with the server can be substituted for another client in the network. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made that once Howard teaches a client registers with the server that can imply that plurality/multiple clients can do the same function as registering with server when the system has multiple clients connect to the server. A person of the ordinary skill in the art would have recognized that Howard performs the same function in substantially the same way to reach substantially the same result.

23. As to claim 25, Howard teaches the invention as claimed, further comprising the step of:
- (5) said member computing devices issuing requests for said data; and wherein step (3) is performed responsive to step (5) (see col.5, line 42 to col.6, line 27, and col.7, line 1-39).

Response to Arguments

24. Applicant's arguments filed on May 18, 2005 have been fully considered, however they are not persuasive because of the following reasons
25. Applicants argue that Howard does not teach synchronizing cookies across a plurality of computer. In response to Applicant's argument, the Patent Office maintain the rejection because Howard does teach synchronizing cookies across a plurality of computer as

shown in col.7, lines 30-39, the cookie is updated adding the current affiliate server to the list of sites visited. Howard clearly shows synchronizing cookies across a plurality of computer.

26. Therefore, the Examiner asserts that cited prior arts teach or suggest the subject matter broadly recited in independent claims 1, 16, and 24. Claims 2-15, 17-23 and 25-33 are also rejected at least by the virtue of their dependency on independent claims and by other reasons set forth in the previous office action.

27. Accordingly, claims 1-33 are respectfully rejected.

Conclusion

28. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

29. Any inquiries concerning this communication or earlier communications from

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the examiner should be directed to **Tammy T. Nguyen** who may be reached via telephone at **(571) 272-3929**. The examiner can normally be reached Monday through Friday between 8:00 a.m. and 5:00 p.m. eastern standard time.

If you need to send the Examiner, a facsimile transmission regarding this instant application, please send it to **(703) 872-9306**. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's Supervisor, David Wiley, may be reached at **(571) 272-3923**.

TTN
August 3, 2005

MARC D. THOMPSON
MARC THOMPSON
PRIMARY EXAMINER